

## **FISCAL NOTE**

### **HB 319 - SB 623**

March 10, 2007

**SUMMARY OF BILL:** Requires Administrative Office of the Courts (AOC) to pay cost of guardian ad litem appointed in juvenile proceedings involving dependency, termination of parental rights, delinquency, or unruly behavior. Deletes current requirement of AOC payment of guardian costs in mandatory child abuse reporting cases.

#### **ESTIMATED FISCAL IMPACT:**

##### **Increase State Expenditures - \$417,000**

##### Assumptions:

- Although current law generally authorizes appointment of guardians ad litem in juvenile proceedings, Tenn. Code Ann. § 37-1-149(a)(1), guardians are not appointed in most cases involving dependency, termination of parental rights, delinquency, or unruly behavior. The state does not currently pay guardian ad litem costs in these cases.
- More guardians will be appointed in juvenile proceedings as a result of requiring AOC to pay the costs. A survey of Tennessee Juvenile Court Judges conducted early in 2007 found that if this bill were enacted, judges would appoint guardians in approximately 40 percent of the 317 annual cases involving unruly children at a cost of \$750 each (the maximum that can be claimed by a guardian for services rendered). Guardians will be appointed in 127 unruly cases at a total cost of \$95,250.
- The same survey found that judges would appoint guardians in approximately 20 percent of the 2,145 annual delinquency cases at a cost of \$750 each. Guardians will be appointed in 429 delinquency cases at a total cost of \$321,750.
- No significant reduction in AOC expenditures by eliminating payment for guardians in mandatory child abuse reporting cases.
- AOC will not require additional personnel or resources to process claims for payment.
- No fiscal impact on the Department of Children's Services.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized initial "J".

James W. White, Executive Director